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9 *Appellant*

10 UNITED STATES DISTRICT COURT

11 DISTRICT OF NEVADA

12 KATHLEEN LYNNE RAY,  
13 Appellant,

14 vs.,

15 FFMLT TRUST 2005-FF8, et al.,  
16 Respondents.

Case No. 2:17-cv-02384-JAD

Bankr Case No. 2:17-bk-13663-mkn

**ORDER GRANTING  
APPELLANT'S CORRECTED FIRST MOTION  
FOR A SEVEN DAY EXTENSION OF TIME TO  
FILE OPENING BRIEF AND EXCERPT OF  
RECORD**

ECF No. 9

17 Debtor/Appellant, KATHLEEN LYNNE RAY, incorporating the documents and Orders (#6, #8) and  
18 making a part hereof by reference, and, pursuant to Local Rule 6-2 of the Local Rules of Practice for the  
19 United States District Court of the District of Nevada, respectfully submits this corrected first motion for a  
20 seven (7) day extension of time, to and including Wednesday, October 25, 2017, in which to file the  
21 Appellant's Opening Brief and Excerpt of Record. In support, the Debtor/Appellant shows:

- 22 1. The Appellant's Opening Brief and Excerpt of Record were due on October 18, 2017.
- 23 2. Appellant timely filed the first motion for extension of time (#7 – not listed on docket), but  
24 misread the rules referencing filing the first motion ex parte. The Court denied the motion without prejudice  
25 (#8) with instruction to refile as a regular motion and not ex parte.
3. The original motion requested a five (5) day extension of time. As Appellant is now required  
to re-read the rules and refile the motion before the close of the Clerk's office today, in an abundance of  
caution, this corrected first motion requests seven (7) days, to and including Wednesday, October 25, 2017, in  
which to file the Appellant's Opening Brief and Excerpt of Record.

1           4.       This is a corrected first motion for an extension of time, there have been no other requests for  
2 an extension of time other than the ex parte motion which this corrected motion now replaces. This request is  
3 not interposed for purposes of undue delay but for the meritorious purposes stated herein.

4           5.       Appellant first notes that the Order (#6) was issued on October 4, 2017, immediately after the  
5 deadly shooting in Las Vegas; and received by mail on October 10, 2017, after the recognized Federal  
6 Holiday of Columbus Day.

7           6.       Notwithstanding any other issues, the Order (#6), when received, allowed for only eight (8)  
8 days for the Appellant, appearing pro se, in which to prepare and file a brief which contains intricate issues of  
9 law requiring in-depth legal research by the pro se Appellant in order to properly and accurately present these  
10 issues. This is less time than allowed to file and respond in the normal course of basic motion practice.

11          7.       Additionally, during those eight (8) days, the Court should acknowledge that businesses in  
12 Las Vegas were dealing with the aftermath of the shooting. Appellant was also required to travel and make  
13 appearances on behalf of her employers; while caring for her 94 year old mother (suffering from chronic  
14 congestive heart failure) and the issues presented by the toxic air quality and the fire hazards racing through  
15 both Southern and North California.

16          8.       In connection with the Order (#8), not received but discovered this afternoon, and this  
17 corrected first motion, Appellant was required to change direction and reread the rules and draft and submit  
18 this motion in order to comply with the Order (#8). Without compliance, the filing of the motion and the  
19 granting of the motion, Appellant would be unable to file the Opening Brief and Excerpt of Record.  
20 Consequently, in an abundance of caution, Appellant has changed the request for a five (5) day extension to  
21 seven (7) days to allow first this corrected motion to be filed and considered.

22          9.       Prior to filing the first ex parte motion being corrected by this instant motion, Appellant  
23 attempted to contact opposing counsel to stipulate to this extension, but did not receive a response. In the  
24 short days that followed, no response has been received. It is anticipated that opposing counsel will not object  
25 to such a short extension of time as it presents no prejudice to the opposing party, and the Appellate stipulates  
to allow the Respondents to file their Answering Brief on the modified schedule. A copy of this corrected  
Motion will be served on Respondents.

1 WHEREFORE, Appellant prays this Honorable Court grant this ex parte Motion to allow Appellant  
2 until and including Wednesday, October 25, 2017, in which to file the Appellant's Opening Brief and Excerpt  
3 of Record.

4 Original Dated: October 18, 2017.  
Corrected Motion: October 23, 2017.

  
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*Appellant*

11 **ORDER**

12 Good cause appearing,

13 IT IS SO ORDERED this 26th day of October, 2017. nunc pro tunc to 10/25/17.

14 By:

  
UNITED STATES DISTRICT JUDGE